



# Licence

## *Environmental Protection Act 1986, Part V*

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**Licensee:** Vasse Felix Pty Ltd

**Licence:** L7333/1997/10

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**Registered office:** Suite 1, 464 Murray Street  
PERTH WA 6000

**ACN:** 009 181 444

**Premises address:** Vasse Felix Winery  
71 Tom Cullity Drive  
COWARAMUP WA 6284  
Being Lot 101 on Diagram 82806 as depicted in Schedule 1

**Issue date:** Thursday, 22 May 2014

**Commencement date:** Friday, 30 May 2014

**Expiry date:** Tuesday, 29 May 2035

**Prescribed premises category**

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
25	Alcoholic beverage manufacturing: premises on which an alcoholic beverage is manufactured and from which liquid waste is or is to be discharged onto land or into water.	350 kilolitres or more per year	2,100 kilolitres per year

**Conditions**

This Licence is subject to the conditions set out in the attached pages.

Date signed: 13 May 2016

.....  
Jonathan Bailes  
Manager Licensing (Process Industries)  
Officer delegated under section 20  
of the *Environmental Protection Act 1986*



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## Introduction

This Introduction is not part of the Licence conditions.

### DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

### Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

#### **Licence fees**

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

#### **Ministerial conditions**

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

#### **Premises description and Licence summary**

The vineyard at Vasse Felix was established in 1967 and is credited with being the Margaret River Region's first vineyard and winery. The winery on the Vasse Felix property has the capacity to process up to 3000 tonnes of grapes annually.

Vasse Felix is located at 71 Tom Cullity Drive (Lot 101 on Diagram 82806), Cowaramup. The location is a coastal plain, being 3.7km east of the Indian Ocean. The region is dominated by viticulture surrounded by competing wineries and vineyards; other land uses include pasture grazed by sheep, horses and some cattle and olive plantations. The closest neighbour not located on Vasse Felix land is approximately 500 metres (m) and is also a winery.

The closest water course to the premises is the Wilyabrup Brook that originates west of the Dunsborough fault and flows eastward to the coast close to the eastern boundary of the premises. The main dam at Vasse Felix overflows in winter to the Wilyabrup Brook. The dam water is utilised for vineyard irrigation and winery wash down water

Vasse Felix is situated on the Leeuwin Block, a geological structure comprising mainly granitic rocks extending from Cape Naturaliste in the north to Cape Leeuwin in the south. Ground water occurs at shallow depth forming an integrated system with surface waters in the area.

Grapes are grown on the property and on other properties. The grapes that are grown on other properties are transported by road to the winery. The grapes are sorted, processed and pressed to remove the juice from the berries. The juice is fermented into wine, which is matured in stainless steel and oak barrels before being bottled for sale.

During the wine making process, water is used to clean equipment, barrels and floors. The wastewater from the cleaning process contains traces of grape juice, wine and other organic substances. Total water use per annum is between 3 – 5 megalitres. The wastewater produced is treated by:

- Screening solids from the wastewater (screenings are composted);
- Flocculation of solids (solids are composted);
- pH adjustment to between 7 and 8;
- Aeration and biological treatment; and
- Attenuation in a multi-stand plantation leach field.

Grape skins, seeds and other organic solids and sludge's are composted on site on a designated concrete pad. This organic compost forms the basis of the vineyards nutritional programme. Compost beyond the requirements of the Vasse Felix vineyard is transported by road to other vineyards for use as a soil conditioner and agricultural fertiliser.

Leachate from the concrete marc pad is discharged to a designated leachate area or to the wastewater treatment system, depending on the quality.



This Licence is the result of an amendment sought by DER to correct administrative errors that occurred during the 2014 licence reissue.

The licenses and works approvals issued for the Premises since 22/05/2014 are:

Instrument log		
Instrument	Issued	Description
L7333/1997/10	22/05/2014	Licence re-issue and conversion to new format
L7333/1997/10	12/05/2016	Licence amendment to correct administrative errors

### Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

## END OF INTRODUCTION

## Licence conditions

### 1 General

#### 1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

‘**Act**’ means the *Environmental Protection Act 1986*;

‘**annual period**’ means the inclusive period from 1 July until 30 June in the following year;

‘**AS/NZS 5667.1**’ means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

‘**AS/NZS 5667.10**’ means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

‘**AS/NZS 5667.11**’ means the Australian Standard AS/NZS 5667.11 *Water Quality – Sampling – Guidance on sampling of groundwaters*;

‘**averaging period**’ means the time over which a limit is measured or a monitoring result is obtained;

‘**CEO**’ means Chief Executive Officer of the Department of Environment Regulation;

‘**CEO**’ for the purpose of correspondence means:

Chief Executive Officer  
Department Administering the *Environmental Protection Act 1986*  
Locked Bag 33  
CLOISTERS SQUARE WA 6850  
Email: [info@der.wa.gov.au](mailto:info@der.wa.gov.au)



**'hardstand'** means a surface with a permeability of  $10^{-9}$  metres/second or less;

**'leachate'** means liquid released by or water that has percolated through waste and which contains some of its constituents;

**'lees'** means the material which accumulates in the bottom of grape juice or wine fermentation tanks;

**'Licence'** means this Licence numbered L7333/1997/10 and issued under the Act;

**'Licensee'** means the person or organisation named as Licensee on page 1 of the Licence;

**'marc'** means grape material (mainly skin, pulp and seeds) which is left over after grape crushing and pressing;

**'mS/cm'** means millisiemens per centimetre;

**'NATA'** means the National Association of Testing Authorities, Australia;

**'NATA accredited'** means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

**'Premises'** means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

**'quarterly'** means the 4 inclusive periods from 1 July to 30 September, 1 October to 31 December and in the following year 1 January to 31 March and 1 April to 30 June;

**'Schedule 1'** means Schedule 1 of this Licence unless otherwise stated;

**'Schedule 2'** means Schedule 2 of this Licence unless otherwise stated;

**'six monthly'** means the 2 inclusive periods from 1 July to 30 December and in the following year 1 January to 30 June;

**'spot sample'** means a discrete sample representative at the time and place at which the sample is taken; and

**'vintage'** means the period of time during which the first and last grapes of the season are received for crushing.

- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.
- 1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
  - (a) pollution;
  - (b) unreasonable emission;
  - (c) discharge of waste in circumstances likely to cause pollution; or
  - (d) being contrary to any written law.



## 1.2 General conditions

- 1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.
- 1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.

## 1.3 Premises operation

- 1.3.1 The Licensee shall ensure that all wastewaters from alcoholic beverage manufacturing operations including wash down water, by-products wastewater and contaminated run-off are directed to a wastewater treatment system.
- 1.3.2 The Licensee shall ensure that waste material is only stored and/or treated within vessels or compounds provided with the infrastructure detailed in Table 1.3.1.

**Table 1.3.1: Containment infrastructure**

Storage vessel or compound	Material	Infrastructure requirements
Collection sumps	Wastewater	Concrete tanks from where wastewater is directed to the wastewater treatment plant.
Settling tanks, aeration tanks, inflow tanks, sludge tanks	Wastewater, wastewater treatment sludge	Treatment tanks for wastewater prior to disposal via subsurface disposal to leach drains
Marc pad, solids screening bin	Marc, lees, screening solids, wastewater treatment sludge, waste compost material and other organic solid wastes	A bunded hardstand area with a drainage system that discharges to the leachate drainage area or to the wastewater treatment system; or in sealed bins.

- 1.3.3 The Licensee shall ensure that where wastes produced on the Premises are not taken off-site for lawful use or disposal they are managed in accordance with the requirements in Table 1.3.2.



**Table 1.3.2: Management of Waste**

Waste type	Disposal strategy	Operational requirements
Treated wastewater	Irrigation (surface)	<p>The Licensee shall ensure irrigation meets the following requirements:</p> <ul style="list-style-type: none"> <li>• irrigation does not occur in areas where the water table rises to within 1m of the surface during the irrigation period;</li> <li>• irrigation does not occur within 100m of a surface water body excluding dams within premises boundary;</li> <li>• bunding/cut-off drains are maintained adjacent to wastewater irrigation areas such that run-off only discharges to a designated location identified in the map of emission points in Schedule 1;</li> <li>• no irrigation generated run-off or discharge occurs beyond the boundary of the Premises;</li> <li>• treated wastewater is evenly distributed over the irrigation area;</li> <li>• no soil erosion occurs;</li> <li>• vegetation cover is maintained over the wastewater irrigation areas; and</li> <li>• irrigation does not occur on land that is waterlogged.</li> </ul>
	Soil absorption (subsurface disposal via leach drains)	N/A
Marc, lees, screening solids, wastewater treatment sludge and other organic solid wastes	Composting	Compost prior to spreading on land for use as a soil conditioner and/or export the material offsite for reuse or disposal
	On-site application to land	Composted waste shall be disposed of evenly on the vineyards and shall not be applied to land within 50 m from of any defined watercourse, wetland or external property boundary

- 1.3.4 The Licensee shall manage the wastewater treatment system such that:
- overtopping of the wastewater treatment system does not occur;
  - stormwater runoff is prevented from entering the wastewater treatment system;
  - there is no discernible leakage loss from the wastewater treatment system; and
  - vegetation and floating debris (emergent or otherwise) is prevented from growing or accumulating in the wastewater treatment system.

## 2 Emissions

### 2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit specified in any part of section 2 of this Licence.

### 2.2 Emissions to land

- 2.2.1 The Licensee shall ensure that where waste is emitted to land from the emission points in Table 2.2.1 and identified on the map of emission points in Schedule 1 it is done so in accordance with the conditions of this Licence.





**Table 2.2.1: Emissions to land**

Emission point reference	Emission point reference on Map of emission points	Description	Source including abatement
L1	Leach drains	Discharge from waste water treatment system to leach drain field	Winery wastewater treated in wastewater treatment system
L2	Leachate irrigation area	Discharge from marc pad to leachate irrigation area	Marc, lees, screening solids and other organic solid wastes stored on the marc pad

2.2.2 The Licensee shall not cause or allow emissions to land greater than the limits listed in Table 2.2.2.

**Table 2.2.2: Emission limits to land**

Emission point reference	Parameter	Limit (including units)	Averaging period
L1 and L2	pH	5.5 - 8.5	Spot sample
	Load of total nitrogen	250 kg/ha/year	Annual
	Load of total phosphorus	50 kg/ha/year	Annual
	Load of total biological oxygen demand (BOD)	30 kg/ha/day	Monthly

## 3 Monitoring

### 3.1 General monitoring

3.1.1 The licensee shall ensure that:

- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
- (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10;
- (c) all groundwater sampling is conducted in accordance with AS/NZS 5667.11;
- (d) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured unless indicated otherwise in the relevant table.

3.1.2 The Licensee shall ensure that:

- (a) monthly monitoring is undertaken at least 15 days apart;
- (b) six monthly monitoring is undertaken at least 5 months apart; and
- (c) quarterly monitoring is undertaken at least 45 days apart.

3.1.3 The Licensee shall record production or throughput data and any other process parameters relevant to any monitoring undertaken.

3.1.4 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications.

3.1.5 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.





### 3.2 Monitoring of emissions to land

3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of emissions to land					
Emission point reference	Monitoring point reference and location	Parameter	Units	Averaging Period	Frequency
L1	M1 – Outflow from wastewater treatment system to leach drains	Volumetric flow rate (cumulative)	m <sup>3</sup>	Monthly	Continuous
		pH	-	Spot sample	Monthly
		Electrical conductivity	mS/cm		
		Biological oxygen demand (BOD)	mg/l		
		Total dissolved solids (TDS)			
		Total suspended solids (TSS)			
		Total nitrogen			
		Total phosphorous			
L2	M2 – Outflow from marc pad to irrigation	Volumetric flow rate (cumulative)	m <sup>3</sup>	Monthly	Continuous
		Electrical conductivity	mS/cm	Spot sample	Quarterly whilst irrigating
		pH	-		
		Biological oxygen demand (BOD)	mg/l		
		Total dissolved solids (TDS)			
		Total suspended solids (TSS)			
		Total nitrogen			
		Total phosphorous			
		Nitrate			
		Nitrite			
		Orthophosphate			

### 3.3 Ambient environmental quality monitoring

3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.

Table 3.3.1: Monitoring of ambient groundwater quality				
Monitoring point reference and location	Parameter	Units	Averaging period	Frequency
P1 - P3	pH	-	Spot sample	Six monthly
	Salinity	mg/l		
	Sodium			
	Magnesium			
	Calcium			
	Sodium adsorption ratio			



## 4 Information

### 4.1 Records

- 4.1.1 All information and records required by the Licence shall:
- (a) be legible;
  - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
  - (c) except for records listed in 4.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
  - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
    - (i) off-site environmental effects; or
    - (ii) matters which affect the condition of the land or waters.
- 4.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
  - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 4.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 4.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

### 4.2 Reporting

- 4.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 28 calendar days after the end of the annual period. The report shall contain the information listed in Table 4.2.1 in the format or form specified in that table.

Table 4.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form <sup>1</sup>
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
1.3.3	Quantity of composted marc applied to the premises, including the application rate (in m <sup>3</sup> /ha)	None specified
Table 3.2.1	Contaminant loading to land of parameters (total annual loading kg/ha/yr for nitrogen and phosphorus, average daily loading kg/ha/day for BOD)	None specified
	Volume of wastewater discharged to land	
	Monitoring of emissions to land	LR1
Table 3.3.1	Monitoring of ambient groundwater quality	None specified
4.1.3	Compliance	Annual Audit Compliance Report (AACR)
4.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2



- 4.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:
- (a) any relevant process, production or operational data recorded under Condition 3.1.3; and
  - (b) an assessment of the information contained within the report against previous monitoring results and Licence limits.

#### 4.3 Notification

- 4.3.1 The Licensee shall ensure that the parameters listed in Table 4.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 4.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement <sup>1</sup>	Format or form <sup>2</sup>
2.1.1	Breach of any limit specified in the Licence	Part A: As soon as practicable but no later than 5pm of the next working day  Part B: As soon as practicable	N1

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

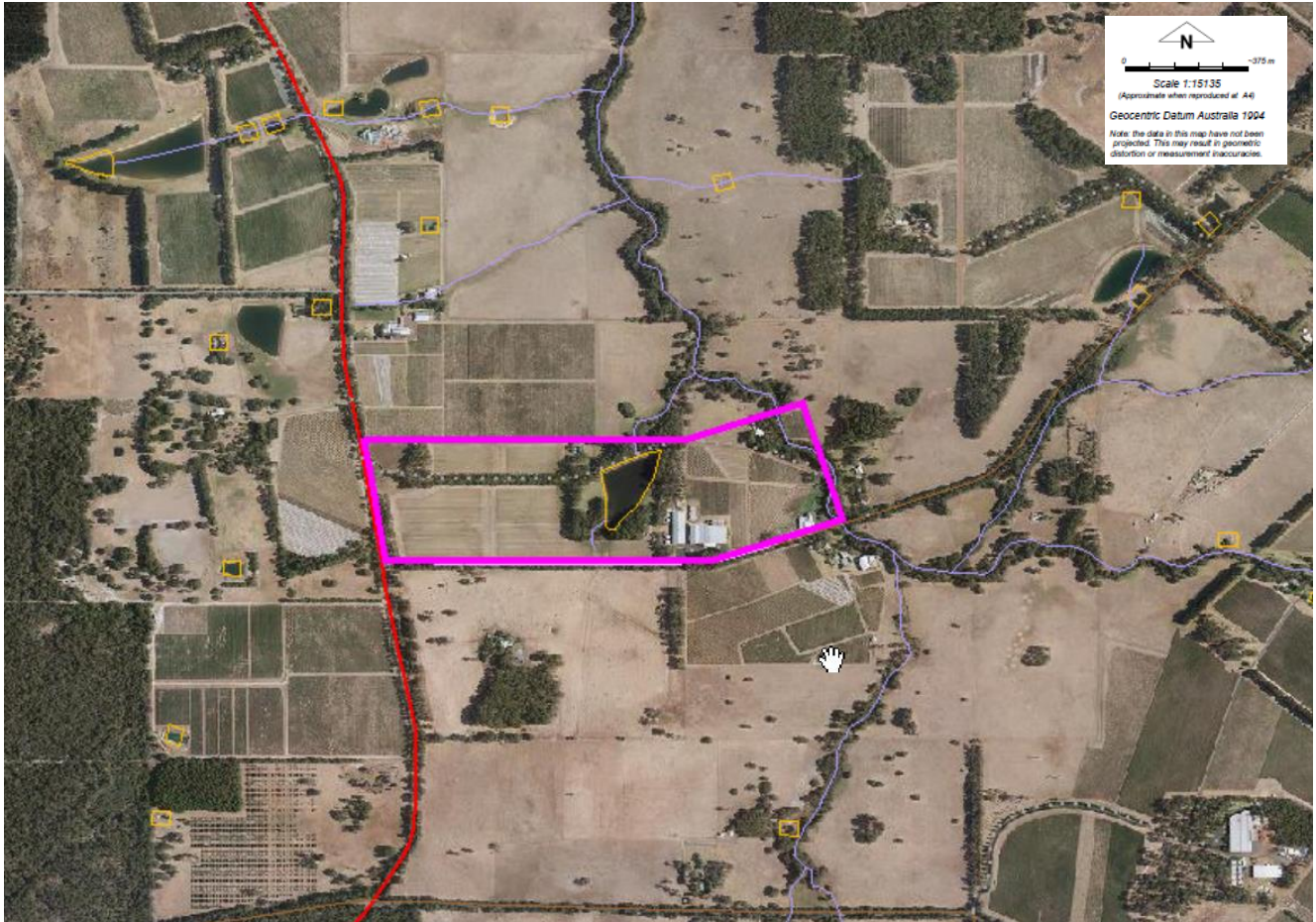
Note 2: Forms are in Schedule 2



## Schedule 1: Maps

### Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.

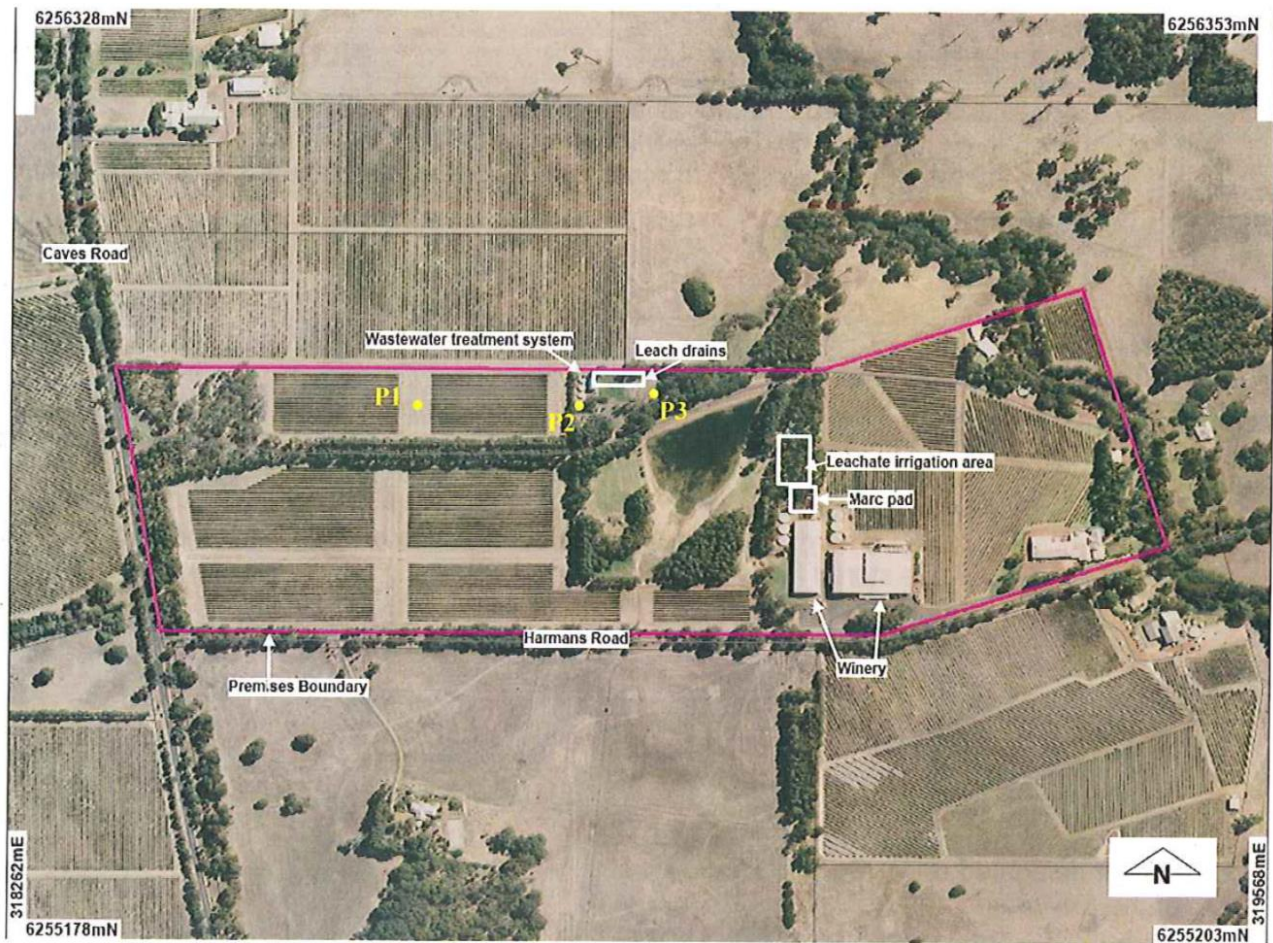






### Map of emission points and monitoring locations

The locations of the emission points and monitoring points defined in Tables 2.2.1, 3.2.1 and 3.3.1 are shown below.





## Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

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### ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

#### SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period:  _____ to _____	

#### STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes ☐ Please proceed to Section C

No ☐ Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



## SECTION B

### DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:





## SECTION C

### SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_



Licence: L7333/1997/10  
Form: LR1  
Name: Monitoring of emissions to land

Licensee: Vasse Felix Pty Ltd  
Period :

Form LR1: Monitoring of emissions to land						
Emission point	Parameter	Result	Units	Averaging Period	Method	Sample date & times
L1	pH		-	Spot sample		
	Electrical Conductivity		mS/cm			
	Biological oxygen demand (BOD		mg/l			
	Total dissolved solids (TDS)					
	Total suspended solids (TSS)					
	Total Nitrogen					
	Total Phosphorus					
L2	pH		-			
	Electrical Conductivity		mS/cm			
	Biological oxygen demand (BOD		mg/l			
	Total dissolved solids (TDS)					
	Total suspended solids (TSS)					
	Total Nitrogen					
	Total Phosphorus					
	Nitrate					
	Nitrite					
	Orthophosphate					

Signed on behalf of Vasse Felix Pty Ltd: ..... Date: .....



Licence: L7333/1997/10  
Form: N1

Licensee: Vasse Felix Pty Ltd  
Date of breach:

### Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide. Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

## Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

### Notification requirements for the breach of a limit

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

## Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Vasse Felix Pty Ltd	
Date	



# Decision Document

## *Environmental Protection Act 1986, Part V*

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**Proponent:** Vasse Felix Pty Ltd

**Licence:** L7333/1997/10

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**Registered office:** Suite 1, 464 Murray Street  
PERTH WA 6000

**ACN:** 009 181 444

**Premises address:** Vasse Felix Winery  
71 Tom Cullity Drive  
COWARAMUP WA 6284  
Being Lot 101 on Diagram 82806

**Issue date:** Thursday, 22 May 2014

**Commencement date:** Friday, 30 May 2014

**Expiry date:** Tuesday, 29 May 2035

### Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER) has decided to issue an amended licence. DER considers that in reaching this decision, it has taken into account all relevant considerations and legal requirements and that the Licence and its conditions will ensure that an appropriate level of environmental protection is provided.

Decision Document prepared by: Terrel MacGregor  
Licensing Officer

Decision Document authorised by: Jonathan Bailes  
Delegated Officer



## Contents

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## 1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

## 2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/> New Licence <input type="checkbox"/> Licence amendment <input checked="" type="checkbox"/> Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	25	2,100 kilolitres per year
Application verified	Date: N/A	
Application fee paid	Date: N/A	
Works Approval has been complied with	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Compliance Certificate received	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Ministerial statement No: EPA Report No:
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i> )?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



### 3 Executive summary of proposal and assessment

The vineyard at Vasse Felix was established in 1967 and is credited with being the Margaret River Region's first vineyard and winery. The winery on the Vasse Felix property has the capacity to process up to 3000 tonnes of grapes annually.

Vasse Felix is located at 71 Tom Cullity Drive (Lot 101 on Diagram 82806), Cowaramup. The location is a coastal plain, being 3.7km east of the Indian Ocean. The region is dominated by viticulture surrounded by competing wineries and vineyards; other land uses include pasture grazed by sheep, horses and some cattle and olive plantations. The closest neighbour not located on Vasse Felix land is approximately 500 metres (m) and is also a winery.

The closest water course to the premises is the Wilyabrup Brook that originates west of the Dunsborough fault and flows eastward to the coast close to the eastern boundary of the premises. The main dam at Vasse Felix overflows in winter to the Wilyabrup Brook. The dam water is utilised for vineyard irrigation and winery wash down water

Vasse Felix is situated on the Leeuwin Block, a geological structure comprising mainly granitic rocks extending from Cape Naturaliste in the north to Cape Leeuwin in the south. Ground water occurs at shallow depth forming an integrated system with surface waters in the area.

Grapes are grown on the property and on other properties. The grapes that are grown on other properties are transported by road to the winery. The grapes are sorted, processed and pressed to remove the juice from the berries. The juice is fermented into wine, which is matured in stainless steel and oak barrels before being bottled for sale.

During the wine making process, water is used to clean equipment, barrels and floors. The wastewater from the cleaning process contains traces of grape juice, wine and other organic substances. Total water use per annum is between 3 – 5 megalitres. The wastewater produced is treated by:

- Screening solids from the wastewater (screenings are composted);
- Flocculation of solids (solids are composted);
- pH adjustment to between 7 and 8;
- Aeration and biological treatment; and
- Attenuation in a multi-stand plantation leach field.

Grape skins, seeds and other organic solids and sludge's are composted on site on a designated concrete pad. This organic compost forms the basis of the vineyards nutritional programme. Compost beyond the requirements of the Vasse Felix vineyard is transported by road to other vineyards for use as a soil conditioner and agricultural fertiliser. Leachate from the concrete marc pad is discharged to a designated leachate area or to the wastewater treatment system, depending on the quality.

This Licence is the result of an amendment sought by DER to correct administrative errors that occurred during the 2014 licence reissue.



## 4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision, they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Definitions and Interpretation	L1.1.3 – 1.1.5	Definitions relating to previous condition 1.2.3 (dangerous goods, environmentally hazardous materials) have been deleted. See general conditions for further details.  The definition of 'six monthly' has been added to support current monitoring condition 3.3.1.	N/A
General conditions	Previous L1.2.3	Previous condition 1.2.3 has been removed from the licence. The storage of hazardous materials is subject to the requirements of other legislation and codes of practice outside this licence.  Condition 1.1.5 (formerly condition 1.2.1) has been moved into the general interpretation section of the licence in accordance with the current DER template.	N/A
Premises operation	L1.3.2 and 1.3.3	Compounds associated with the wastewater treatment system that store and/or treat wastewater have been added to the infrastructure table (Table 1.3.1).  The final disposal point of wastewater to leach drains has been added to the licence in Table 1.3.2.	N/A
Emissions to land including monitoring	L2.2.2. and 3.2.1	Table 2.2.2 has been updated to include both emission points for wastewater to land with the addition of L1 (leach drains).  The licence limit for electrical conductivity (EC) in Table 2.2.2 has been removed. This limit was added in error and not in the previous version of the licence. The Licensee has an automatic process set up to ensure that when wastewater derived from the marc pad has an EC reading of 2.0mS/cm or more; then it is directed to the wastewater	N/A





DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		treatment system instead of the irrigation area (L2).  The frequency of monitoring the outflow from the marc pad to the irrigation (L2) in Table 3.2.1 has been updated to 'quarterly whilst irrigating' as irrigation to L2 is sporadic and not carried out on a regular basis.	
Monitoring general	3.1.2	To ensure that six monthly monitoring of groundwater is carried out in a manner that is representative, the requirement that samples are taken at least five months apart has been added to the general monitoring section 3.1.2.	N/A
Notification	L4.3.1	Notification requirements for failure or malfunction of any pollution control equipment or any incident, which has caused, is causing or may cause pollution have been removed as it duplicates the requirements of section 72 of the EP Act.	N/A
Licence Duration	N/A	The licence expiry date has been amended to expire on 29 May 2035 in accordance with DER Guidance Statement: Licence Duration.	Guidance Statement: Licence duration



## 5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
28/04/2016	Proponent sent a copy of draft instrument	Signed consultation waiver form received 10/05/2016.	N/A

## 6 Risk Assessment

*Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management*

**Table 1: Emissions Risk Matrix**

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High